

IN RE: PETITION FOR VARIANCE \* BEFORE THE  
 NW/S Saters Lane at Falls Road, 400' NW  
 of the c/l of Tremblant Court \* DEPUTY ZONING COMMISSIONER  
 (1010 Saters Lane)  
 8th Election District \* OF BALTIMORE COUNTY  
 3rd Councilmanic District \* Case No. 96-70-A  
 The Trustees of the Baptist Church  
 at Saters Meeting House - Petitioners  
 \* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 1010 Saters Lane, located in the vicinity of the Chestnut Ridge Country Club and Maryvale School in Lutherville. The Petition was filed by the owners of the property, The Trustees of the Baptist Church at Saters Meeting House, through Richard E. Musgrove, its Chairman. The Petitioners seek relief from Section 413.1.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a total sign and brick wall area of 94.5 sq.ft. (47.25 sq.ft. per face), or, in the alternative, a total sign area of 36 sq.ft. (18 sq.ft. per face) in lieu of the permitted 30 sq.ft. (15 sq.ft. per face) for a proposed Church identification sign. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Richard E. Musgrove, Chairman of the Trustees of the Chestnut Ridge Baptist Church, and Paul Lee, Professional Engineer who prepared the site plan for this project. Appearing as an interested party was Frederick A. Allner, III, a resident of the area. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of 2.17 acres, more or less, zoned R.C. 5 and was formerly the site of the Saters Baptist Church. The Petitioners propose to develop the

ORDER RECEIVED FOR FILING

Date

By

16/19/95  
 [Signature]

MICROFILMED

site with a one-story church, accessory court yard and parking area in accordance with Petitioner's Exhibit 1. In conjunction with the proposed improvements, the Petitioners wish to erect a brick identification sign at the entrance to the site at Falls Road and Saters Lane. An elevation drawing included on the site plan of the property depicts an attractive sign and brick work. Due to the size of the proposed size, the requested variance is necessary in order to proceed.

As is customary with sign variances, the Petitioner has included in his calculation, not only the actual sign for the Chestnut Ridge Baptist Church, but also the bricks which make up the facade upon which the sign will be mounted. The interior portion of the sign identifying the name of the church will be illuminated; however, no spot lights will be used to illuminate the sign. On behalf of the Petitioners, Mr. Musgrove testified that they would be bound by any restrictions imposed as to the hours of illumination of the sign.

As noted above, Mr. Frederick Allner, III, appeared as an interested party. Mr. Allner resides across from the subject site on Tremblant Court. Mr. Allner stated that originally, he was concerned about the size of the proposed sign, but after learning that the brick wall was calculated into the overall dimensions of the sign, he was satisfied that the size of the sign would not be inappropriate. Mr. Allner also voiced concern over the time the sign would be illuminated. Once Mr. Allner was advised that the sign would not be illuminated past 11:00 PM on any given evening, nor before 7:00 AM on any given morning, his concerns were alleviated.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and

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Date

By

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his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

ORDER RECEIVED FOR FILING

Date

By

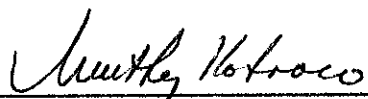
Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 19<sup>th</sup> day of October, 1995 that the Petition for Variance seeking relief from Section 413.1.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a total sign and brick wall area of 94.5 sq.ft. (47.25 sq.ft. per face), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

2) The proposed sign shall not be illuminated past 11:00 PM on any given evening, nor before 7:00 AM on any given day. The amount of illumination within the interior of the sign itself shall be reasonable so as not to be distracting to area residents while at the same time providing adequate lighting to illuminate the name of the Church and its message board during evening hours. All light from the subject sign shall be directed away from adjoining residential properties. In the event a problem arises due to the illumination of the subject sign, the affected residents may Petition this office for a Special Hearing to determine the appropriateness of the lighting.

3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

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ORDER RECEIVED FOR FILING  
Date 10/19/95  
By [Signature]

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

October 19, 1995

Mr. Richard Musgrove  
1321 Broadway Road  
Lutherville, Maryland 21093

RE: PETITION FOR VARIANCE  
NW/S Saters Lane at Falls Road, 400' NW of the c/l of Tremblant Court  
(1010 Saters Lane)  
8th Election District - 3rd Councilmanic District  
The Trustees of the Baptist Church  
at Saters Meeting House - Petitioners  
Case No. 96-70-A

Dear Mr. Musgrove:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: Mr. Paul Lee  
304 W. Pennsylvania Avenue, Towson, Md. 21204

Mr. Frederick A. Allner, III  
4 Tremblant Court, Lutherville, Md. 20918

People's Counsel; Case File

**MICROFILMED**





# Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

Chestnut Ridge Baptist Church  
( Formerly Saters Baptist Church )  
1010 Saters Lane

which is presently zoned RC-5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 413.1.B of the BCZR to permit

a total sign and wall area of 94.5 s.f. (47.25 s.f./face) or a total sign area of 36 s.f. (18 s.f./face) in lieu of the permitted total sign area of 30 s.f. (15 s.f./face), a variance of 64.5 s.f. for sign and wall or 6 s.f. for sign only.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

1. Shape and configuration of property.
2. For such other and further reasons will be presented at the time of the hearing of the matter.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

~~Contract Purchaser/Owner~~ Engineer:

Paul Lee Engineering, Inc.

(Type or Print Name)

*Paul Lee*

Signature

304 W. Pennsylvania Ave.

Address

Towson, Maryland

21204

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

The Trustees of the Baptist Church  
Legal Owner(s): at Saters Meeting House

Richard Musgrove, Chairman

(Type or Print Name)

*Richard Musgrove*

Signature

(Type or Print Name)

Signature

1010 Saters Lane

252-0409

Address

Phone No.

Lutherville, Maryland

21093

City

State

Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Richard Musgrove

Name

1321 Broadway Rd.

252-4120

Address

Lutherville, Md. 21093

Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY: *MSH*

DATE

8/15/95

ORDER RECEIVED FOR FILING

Date

By



*Paul Lee, P.E.*

*Paul Lee Engineering Inc.*  
*304 W. Pennsylvania Ave.*  
*Towson, Maryland 21204*  
*410-821-5941*

96-70-A

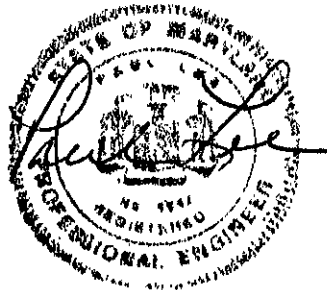
DESCRIPTION

CHESTNUT RIDGE BAPTIST CHURCH  
(FORMERLY SATERS BAPTIST CHURCH)

WEST SIDE OF FALLS ROAD  
ELECTION DISTRICT 8C5  
BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point at the intersection of Falls Road and Saters Lane, said point also being located Northwesterly 400 feet  $\pm$  from the center of Tremblant Court; thence running in or near the center of Saters Lane two following courses and distances: (1) North  $86^{\circ}15'24''$  West 382.43 feet and (2) South  $88^{\circ}41'55''$  West 158.00 feet, thence leaving said Saters Lane (3) North  $03^{\circ}00'56''$  West 185.72 feet, and (4) North  $89^{\circ}11'04''$  East 441.24 feet to a point in the paving of Falls Road, thence running in the paving of Falls Road (5) South  $26^{\circ}54'14''$  East 238.99 feet to the point of beginning.

Containing 2.17 acres of land, more or less.



# 65

*Engineers — Surveyors — Site Planners*

5/10/95 J. O. #93003

**CERTIFICATE OF POSTING**  
**ZONING DEPARTMENT OF BALTIMORE COUNTY**  
Towson, Maryland

96-70-A

8th \_\_\_\_\_ Date of Posting 9/15/95

for: Variaico

ner: Baptist Church of Saters Meeting House

n of property: W/S Fols Rd - 400' NW from blant Rd

n of Signs: Facing road way on property being zoned

by W. H. Haly

Signature

Date of return: 9/22/95

of Signs: 1

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NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118 Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: 98-70-A

(Item 65)

1010 Salera Lane

W/S Falls Road, 400' NW of Old Tremblant Road

8th Election District 3rd Councilmanic

Legal Owner:

The Trustees of the Baptist Church of Towson

Hearing Monday

October 2, 1999 at 10:00 a.m.

Room 118 Old Courthouse

Variance to permit a total sign and wall area of 94.5 square feet (47.24 square feet/face) or a total sign area of 36 square feet (18 square feet/face) in lieu of the permitted total sign area of 30 square feet (15 square feet/face), and to permit 64.6 square feet and wall or 6 square feet for sign only.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call 887-3353

(2) For information concerning the file and/or hearing, Please Call 887-3391.

# CERTIFICATE OF PUBLICATION

TOWSON, MD., 9/29, 19 95

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 9/14, 19 95.

THE JEFFERSONIAN,

*A. Henrickson*

LEGAL AD. - TOWSON

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

NO.

000058

DATE 8/15/95

ACCOUNT 01-615

Item: 65

By: MFH

AMOUNT \$285.00

1010 Suters Lane

RECEIVED FROM: Chestnut Ridge Baptist Church Building Fund

020 - Comm Var. \$250.00

080 - 1 sign \$ 35.00

FOR: Total \$285.00

96-70-A

02AD280009MICHRC

\$285.00

BA 0003:11PM08-15-95

DISTRIBUTION  
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER

Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

1) Posting fees will be assessed and paid to this office at the time of filing.

2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

-----  
For newspaper advertising:

Item No.: 65

Petitioner: Chestnut Ridge Baptist Church

Location: 1010 Saters Lane

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Richard Musgrove, Chairman

ADDRESS: 1010 Saters Lane

Lutherville, MD 21093

PHONE NUMBER: 252-0409

AJ:ggs

(Revised 04/09/93)



TO: PUTUMENT PUBLISHING COMPANY  
September 14, 1995 Issue - Jeffersonian

Please forward billing to:

Richard Musgrove  
1010 Saters Lane  
Lutherville, MD 21093  
252-0409

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### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-70-A (Item 65)  
1010 Saters Lane  
W/S Falls Road, 400' NW of c/l Tremblant Road  
8th Election District - 3rd Councilmanic  
Legal Owner: The Trustees of the Baptist Church at Saters Meeting House  
HEARING: MONDAY, OCTOBER 2, 1995 at 10:00 a.m. in Room 118, Old Courthouse.

Variance to permit a total sign and wall area of 94.5 square feet (47.24 square feet/face) or a total sign area of 36 square feet (18 square feet/face) in lieu of the permitted total sign area of 30 square feet (15 square feet/face), and to permit 64.5 square feet and wall or 6 square feet for sign only.

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

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Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

September 7, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-70-A (Item 65)

1010 Saters Lane

W/S Falls Road, 400' NW of c/l Tremblant Road

8th Election District - 3rd Councilmanic

Legal Owner: The Trustees of the Baptist Church at Saters Meeting House

HEARING: MONDAY, OCTOBER 2, 1995 at 10:00 a.m. in Room 118, Old Courthouse.

Variance to permit a total sign and wall area of 94.5 square feet (47.24 square feet/face) or a total sign area of 36 square feet (18 square feet/face) in lieu of the permitted total sign area of 30 square feet (15 square feet/face), and to permit 64.5 square feet and wall or 6 square feet for sign only.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon  
Director

cc: Richard Musgrove  
Paul Lee Engineering, Inc.

- NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

MICROFILMED





Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

September 26, 1995

The Trustees of the Baptist Church  
at Saters Meeting House  
Richard Musgrove, Chairman  
1010 Saters Lane  
Lutherville, Maryland 21093

RE: Item No.: 65  
Case No.: 96-70-A  
Petitioner: Baptist Church at  
Saters Meeting House

Dear Mr. Musgrove:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on August 15, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

*W. Carl Richards, Jr.*  
W. Carl Richards, Jr.  
Zoning Supervisor

WCR/jw  
Attachment(s)

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BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: ZADM *Joyce Watson*

FROM: DEPRM  
Development Coordination

SUBJECT: Zoning Advisory Committee  
Agenda: 8/28/95

DATE: 8/30/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

65  
66  
67  
68  
72  
74  
78  
79

LS:sp

LETTY2/DEPRM/TXTSBP

Wages 1000 00

BALTIMORE COUNTY, MARYLAND  
I N T E R O F F I C E   C O R R E S P O N D E N C E

TO: Arnold Jablon, Director      DATE: Sept. 7, 1995  
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief  
*RWB* Development Plans Review

RE: Zoning Advisory Committee Meeting  
for September 5, 1995  
Items 065, 066, 067, 068, 074, 075, 076  
077 and 079

The Development Plans Review Division has reviewed  
the subject zoning items and we have no comments.

RWB:sw



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration and  
Development Management

DATE: September 1, 1995

FROM: Pat Keller, Director  
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. (65) 66, 67, 68, 70, 75, 76, 79, 82, 85, 86, 88, 90, and 91<sup>13</sup>

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

*Jeffrey W. Long*

Division Chief:

*Carol Kerns*

PK/JL

AT  
JW

Baltimore County Government  
Fire Department



700 East Joppa Road Suite 901  
Towson, MD 21286-5500

(410) 887-4500

DATE: 08/30/95

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: THE TRUSTEES OF BAPTIST CHURCH AT SATERS MEETING  
HOUSE

LOCATION: W/S FALLS RD., 400' NW OF CENTERLINE TREMBLANT RD.  
(1010 SATERS LA.)

Item No.: 065

Zoning Agenda: VARIANCE

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

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RECEIVED

SEP 5 1995

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

ZADM





**Maryland Department of Transportation**  
**State Highway Administration**

David L. Winstead  
Secretary  
Hal Kassoff  
Administrator

8-30-95

Ms. Joyce Watson  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No. 065 (MJK)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

*for Bob Small*  
Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/es

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

PLEASE PRINT CLEARLY

Citizen  
PROTESTANT(S) SIGN-IN SHEET

NAME

FREDERICK A. ALLNER, III

ADDRESS

4 TREMBLANT CT. CLUTMILLE  
20918 ND



PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

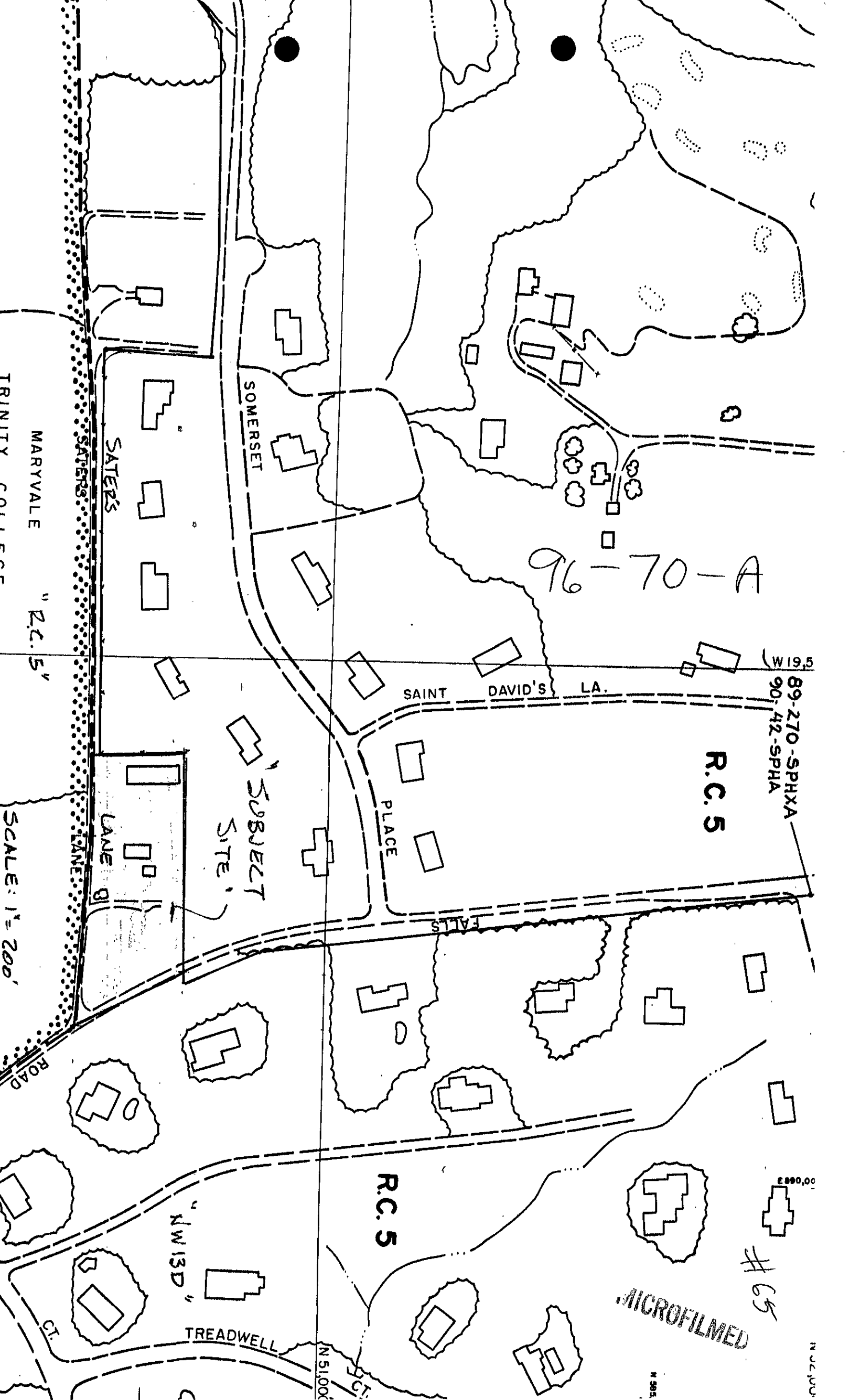
NAME

ADDRESS

PAUL LEE, ENGR.  
Richard E. Maigne

304 W. PENNSYLVANIA AVE  
1321 Broadway In Therville m/





TRINITY COLLEGE

MARYVALE

"R.C. 5"

SCALE: 1" = 200'

ROAD

CT.

TREADWELL

N 51.00'

R.C. 5

PLACE

SAINT

DAVID'S

LA.

R.C. 5

89-270-SPHXA  
90-42-SPHA

W 19.5

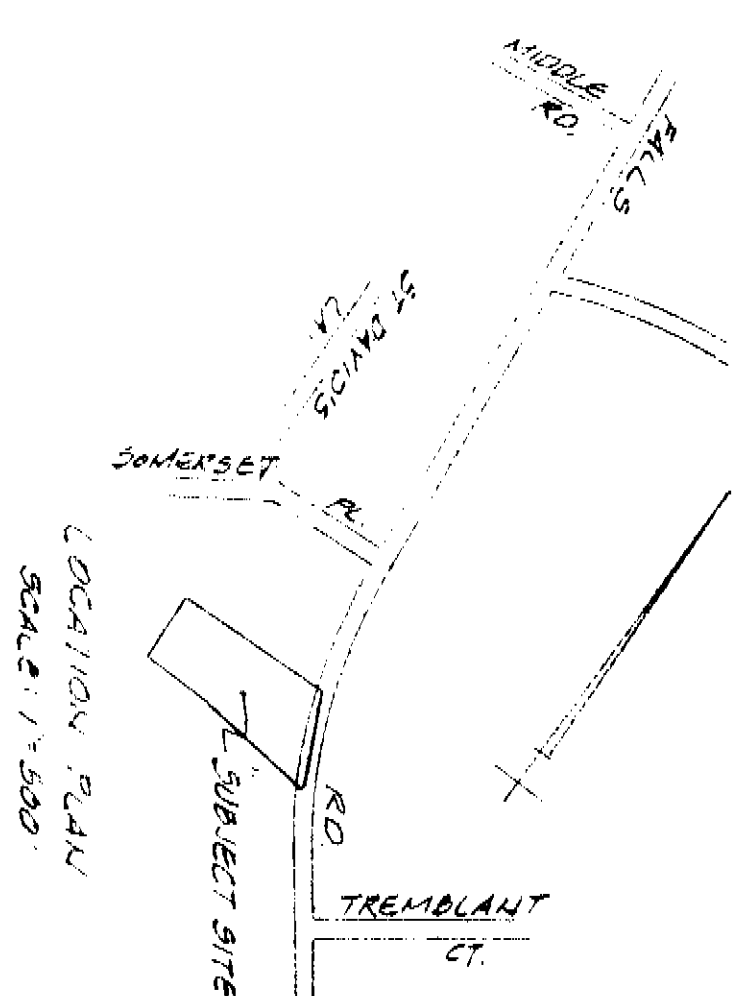
MICROFILMED

#65

2880.00

N 51.00'

EXIST. ZONING: "R.C.S."  
EXIST. USE: "RESIDENTIAL"



1. AREA OF PROPERTY =  $2.7AC + (34,825.20AC)$
2. EXISTING CONING OF TOWNENTY = "RC-5"
3. EXISTING USE OF PROPERTY = "BARTER BAPTIST CHURCH"
4. PROPOSED CONING OF PROPERTY = "RC-5"
5. PROPOSED USE OF PROPERTY = "CHEMUNUT RIDGE BAPTIST CHURCH"
6. RECALCULATED STREET CORNERS (115.9, 1424.15), 250.4 - 63.75.
7. NUMBER OF PARCELS TO BE SHOWN (INCL. 3 AC) = 63.75.
8. ALTIMETER READINGS COVERAGE =  $14,178.5F$   
PROPOSED READINGS COVERAGE = 14,178.5F
9. PROPERTY SERVED BY PRIVATE UTILITIES.
10. SETBACKS REQUESTING A PARALLEL TO SECTION 4.3.1.B OF THE  
DCC TO PERMIT A TOTAL SQUARE AREA OF 34,535.47 (47,550.5F/AC)  
AND TOTAL SQUARE AREA OUT OF 36,535.47 (47,550.5F/AC) IN LIEU OF THE  
MINIMUM REQUIRED AREA OF 30.5M (46,535.47/AC). A VARIANCE OF  
6,000.00 SQUARE FEET MAY BE GRANTED TO THE CHURCH.

VARIANCE

FALLS ROAD AT SATELS LANE

SCALE: AS SHOWN

MAY 10, 1935

52

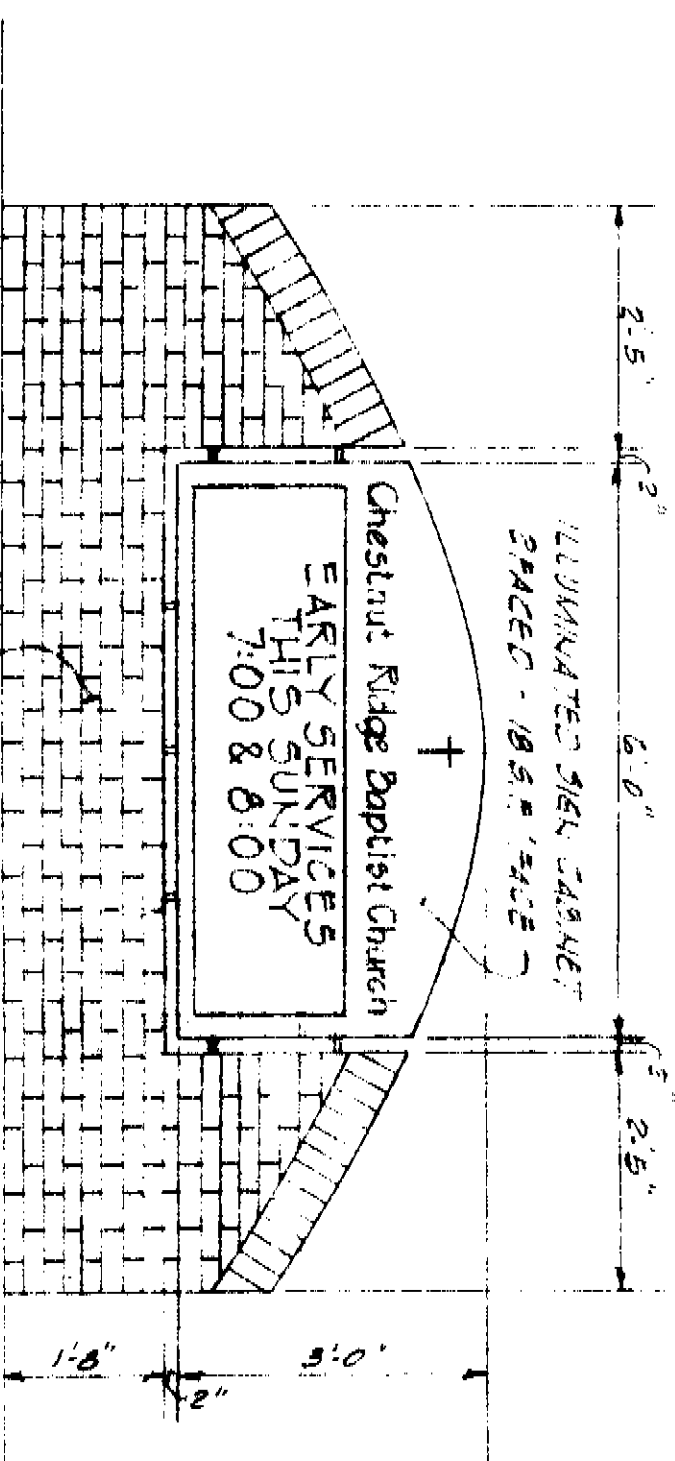
MICROFILMED

THE "ROSTERS OF THE AM" OF "HOLLYWOOD"

BALTIMORE, MARYLAND - 21023

ELEVATION VIEW

SCALE: 1"=2'



WALL AREA - 29.25 S.F. / FACE  
TOTAL WALL AREA - 2 FACES - 48.5 S.F.

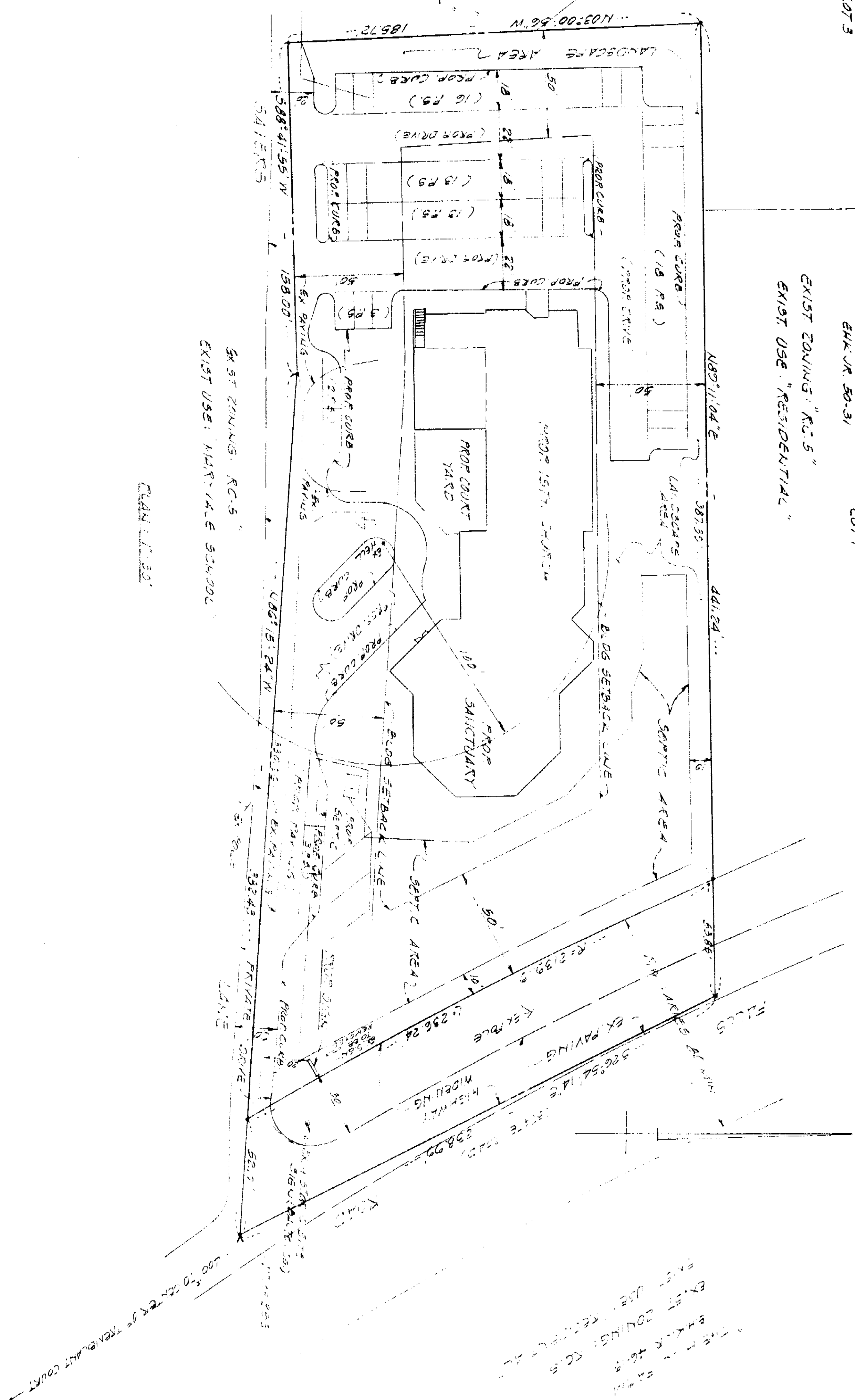
J.O. 23-003



96-70-A

EXIST. ZONING: "R.C.S."  
EXIST. USE: "RESIDENTIAL"

EXIST. USE: RESIDENTIAL



CR055 SECTION

THE "ROSTERS" OF THE 6888

SCALE: 1" = 2'

210 SATER'S LAKE  
BALTIMORE, MARYLAND. 21093

#5

MICROFILMED

PLAT TO ACCOMPANY PETITION  
FOR

CHESTNUT RIDGE BAPTIST CHURCH

FALLS ROAD AT GATEFIS LAKE

ELECT DIST 803 BALTIMORE COUNTY, MD

SCALE: 45 SHOWN

MAY 10, 1995

EXHIBIT

PAUL LEE ENGINEERING, INC.

304 W. PENNSYLVANIA AVENUE

TOWNSON, MARYLAND 21204

J.O. 23-003



96-70-A



RECEIVED FOR FILING  
10/19/95  
By [Signature]

RECEIVED FOR FILING  
10/19/95  
By [Signature]

On October 19, 1995, the Deputy Zoning Commissioner as a Petitioner for Variance for that property known as 1010 Saters Lane, located in the vicinity of the Chestnut Ridge Country Club and Maryvale School in Lutherville. The Petition was filed by the owners of the property, The Trustees of the Baptist Church at Saters Meeting House, through Richard E. Musgrove, its Chairman. The Petitioners seek relief from Section 413.1.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a total sign and brick wall area of 94.5 sq.ft. (47.25 sq.ft. per face), or, in the alternative, a total sign area of 36 sq.ft. (18 sq.ft. per face) in lieu of the permitted 30 sq.ft. (15 sq.ft. per face) for a proposed Church identification sign. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Richard E. Musgrove, Chairman of the Trustees of the Chestnut Ridge Baptist Church, and Paul Lee, Professional Engineer who prepared the site plan for this project. Appearing as an interested party was Frederick A. Allner, III, a resident of the area. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of 2.17 acres, more or less, zoned R.C. 5 and was formerly the site of the Saters Baptist Church. The Petitioners propose to develop the

subject property with a brick wall and sign. The proposed sign will be located on the east side of the property, adjacent to the proposed driveway. The sign will be a brick identification sign at the intersection of the driveway and Saters Lane. An elevation drawing of the proposed sign depicts an attractive design. The sign will be constructed of brick and will be the size of the proposed sign, the requested relief is hereby granted.

As noted above, with some variances, the Petitioner has included in his calculation, not only the actual sign for the Chestnut Ridge Baptist Church, but also the bricks which make up the facade upon which the sign will be mounted. The interior portion of the sign identifying the name of the church will be illuminated; however, no spot lights will be used to illuminate the sign. On behalf of the Petitioners, Mr. Musgrove testified that they would be bound by any restrictions imposed as to the hours of illumination of the sign.

As noted above, Mr. Frederick Allner, III, appeared as an interested party. Mr. Allner resides across from the subject site on Tremblant Court. Mr. Allner stated that originally, he was concerned about the size of the proposed sign, but after learning that the brick wall was calculated into the overall dimensions of the sign, he was satisfied that the size of the sign would not be inappropriate. Mr. Allner also voiced concern over the time the sign would be illuminated. Once Mr. Allner was advised that the sign would not be illuminated past 11:00 PM on any given evening, nor before 7:00 AM on any given morning, his concerns were alleviated.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and

his property. McLean v. Soley, 370 Md. 208 (1971). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel.

In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

On October 19, 1995, the Deputy Zoning Commissioner for Baltimore County, Maryland, on the day of October, 1995, that the Petition for Variance was granted from Section 413.1.B of the Baltimore County Zoning Regulations to permit a total sign and brick wall area of 94.5 sq.ft. (47.25 sq.ft. per face), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) The proposed sign shall not be illuminated past 11:00 PM on any given evening, nor before 7:00 AM on any given day. The amount of illumination within the interior of the sign itself shall be reasonable so as not to be distracting to area residents while at the same time providing adequate lighting to illuminate the name of the Church and its message board during evening hours. All light from the subject sign shall be directed away from adjoining residential properties. In the event a problem arises due to the illumination of the subject sign, the affected residents may petition this office for a Special Hearing to determine the appropriateness of the lighting.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

THK:bjs  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Road  
Towson, MD 21204

(410) 887-4386

October 19, 1995

Mr. Richard Musgrove  
1321 Broadway Road  
Lutherville, Maryland 21093

RE: PETITION FOR VARIANCE  
NW/4 Saters Lane at Falls Road, 400' NW of the c/l of Tremblant Court  
(1010 Saters Lane)  
8th Election District - 3rd Councilmanic District  
The Trustees of the Baptist Church  
at Saters Meeting House - Petitioners  
Case No. 96-70-A

Dear Mr. Musgrove:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

THK:bjs

cc: Mr. Paul Lee  
304 W. Pennsylvania Avenue, Towson, Md. 21204

Mr. Frederick A. Allner, III  
4 Tremblant Court, Lutherville, Md. 20918

People's Counsel; Case File

## Petition for Variance

to the Zoning Commissioner of Baltimore County  
Chestnut Ridge Baptist Church  
(Formerly Saters Baptist Church)  
1010 Saters Lane  
which is presently zoned RC-5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property at 1010 Saters Lane, hereby petition for a Variance from Section 413.1.B of the B.C.Z.R. to permit a total sign and wall area of 94.5 s.f. (47.25 s.f./face) or a total sign area of 36 s.f. (18 s.f./face) in lieu of the permitted total sign area of 30 s.f. (15 s.f./face), a variance of 64.5 s.f. for sign and wall or 6 s.f. for sign only.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

1. Shape and configuration of property.
2. For such other and further reasons will be presented at the time of the hearing of the matter.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and ordinances of Baltimore County adopted pursuant to the Zoning Law of Baltimore County.

Submitted by: Engineer:

Paul Lee Engineering, Inc.

Signature: [Signature]

Address: 304 W. Pennsylvania Ave.

Towson, Maryland 21204

City State Zipcode

Address for Petitioner:

Signature: [Signature]

Address: 1321 Broadway Rd.

Lutherville, Md. 21093

City State Zipcode

Address for Petitioner:

Signature: [Signature]

Address: 1321 Broadway Rd.

Lutherville, Md. 21093

City State Zipcode

Address for Petitioner:

Signature: [Signature]

Address: 1321 Broadway Rd.

Lutherville, Md. 21093

City State Zipcode

Address for Petitioner:

Signature: [Signature]

Address: 1321 Broadway Rd.

Lutherville, Md. 21093

City State Zipcode

Address for Petitioner:

Signature: [Signature]

Address: 1321 Broadway Rd.

Lutherville, Md. 21093

City State Zipcode

Paul Lee P.E.

Paul Lee Engineering, Inc.  
304 W. Pennsylvania Ave.  
Towson, Maryland 21204  
410-887-5941

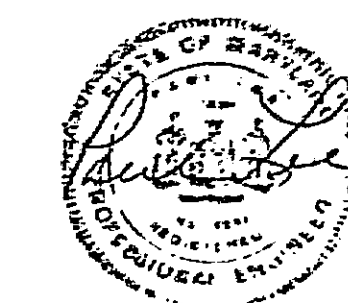
DESCRIPTION

CHESTNUT RIDGE BAPTIST CHURCH  
(FORMERLY SATERS BAPTIST CHURCH)

WEST SIDE OF FALLS ROAD  
ELECTION DISTRICT 805  
BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point at the intersection of Falls Road and Saters Lane, said point also being located Northwestwardly 400 feet ± from the center of Tremblant Court; thence running in or near the center of Saters Lane two following courses and distances: (1) North 86°15'24" West 382.43 feet and (2) South 88°41'55" West 158.00 feet, thence leaving said Saters Lane (3) North 03°00'56" West 185.72 feet, and (4) North 89°11'04" East 441.24 feet to a point in the paving of Falls Road, thence running in the paving of Falls Road (5) South 26°54'14" East 238.99 feet to the point of beginning.

Containing 2.17 acres of land, more or less.



Engineers - Surveyors - Site Planners  
5/10/95 J. O. #93003

## CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

Date of Posting: 9/15/95  
Property: 1010 Saters Lane, Chestnut Ridge Baptist Church  
Site: 1010 Saters Lane, Chestnut Ridge Baptist Church  
Date of return: 9/22/95

## CERTIFICATE OF PUBLICATION

TOWSON, MD., 9/29, 1995

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 9/14, 1995.

THE JEFFERSONIAN,  
A. Henricson  
LEGAL AD. - TOWSON



BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE-REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE: 8/15/95 ACCOUNT: 01-615  
NO. 004858  
By: [Signature]  
1010 Suters Lane AMOUNT: \$285.00  
RECEIVED: [Signature]  
FROM: [Signature]  
FOR: 96-70-A \$285.00  
VALIDATION OR SIGNATURE OF CASHIER

(410) 887-3353

NOTICE HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 65

Petitioner: Christ Church Baptist Church

Location: 1010 Suters Lane

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Richard Musgrove, Chairman

ADDRESS: 1010 Suters Lane

Lutherville, MD 21093

PHONE NUMBER: 252-0407

AJ:eggs

(Revised 04/09/93)

TO: ATTORNEY PUBLISHING COMPANY  
September 14, 1995 Issue - Jeffersonian

Please forward billing to:

Richard Musgrove  
1010 Suters Lane  
Lutherville, MD 21093  
252-0409

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-70-A (Item 65)

1010 Suters Lane

W/S Falls Road, 400' W of c/j Trumbull Road

8th Election District - 3rd Councilmanic

Legal Owner: The Trustees of the Baptist Church at Suters Meeting House

HEARING: MONDAY, OCTOBER 2, 1995 at 10:00 a.m. in Room 118, Old Courthouse.

Variance to permit a total sign and wall area of 94.5 square feet (47.24 square feet/face) or a total sign area of 36 square feet (18 square feet/face) in lieu of the permitted total sign area of 30 square feet (15 square feet/face), and to permit 64.5 square feet and wall or 6 square feet for sign only.

LAWRENCE E. SCHMIDT

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

September 1, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

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ARNOLD JABLON

Director

cc: Richard Musgrove  
Paul Lee Engineering, Inc.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Printed with Soybean Ink  
on Recycled Paper

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

September 26, 1995

The Trustees of the Baptist Church  
at Suters Meeting House  
Richard Musgrove, Chairman  
1010 Suters Lane  
Lutherville, Maryland 21093

RE: Item No.: 65  
Case No.: 96-70-A  
Petitioner: Baptist Church at  
Suters Meeting House

Dear Mr. Musgrove:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on August 15, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.  
Zoning Supervisor

WCR/jw  
Attachment(s)

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: ZADM Joyce Watson  
FROM: DEPRM Development Coordination  
SUBJECT: Zoning Advisory Committee  
Agenda: 8/28/95

DATE: 8/30/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 65  
66  
67  
68  
72  
74  
78  
79

LS:sp

LETY2/DEPRM/TXTS8P

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration and Development Management

DATE: Sept. 7, 1995

FROM: Robert W. Bowling, P.E., Chief  
Development Plans Review

RE: Zoning Advisory Committee Meeting  
for September 5, 1995  
Items 065, 066, 067, 068, 074, 075, 076  
077 and 079

The Development Plans Review Division has reviewed the subject zoning items and we have no comments.

RWB:aw

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration and  
Development Management

DATE: September 1, 1995

FROM: Pat Keller, Director  
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 65, 66, 67, 68, 70, 75, 76, 79, 82, 85, 86, 88, 90, and 91

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Division Chief: [Signature]

PK/JL

ITEM62/PZONE/ZAC1







